



புதுச்சேரி மாநில அரசிதழ்

La Gazette de L'État de Poudouchéry The Gazette of Puducherry

PART - I

சிறப்பு வெளியீடு

EXTRAORDINAIRE

EXTRAORDINARY

அதிகாரம் பெற்ற
வெளியீடு

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IN THE COURT OF THE SUBDIVISIONAL MAGISTRATE (NORTH) AT PUDUCHERRY

Present : Thiru M. KANDASAMY,
Subdivisional Magistrate (North).

M.C. No. 263/2021 of I.R. No. 70/2021 Under Section 144 of Cr.P.C./2437

ORDER

(UNDER SECTION 144 OF Cr.P.C.)

State Represented by the Station House Officer,
Mettupalayam Police Station,
Puducherry.

. . . Petitioner

Vs.

Thiru Joseph (21),
S/o. Karunagaran,
No.10, Gandhi Street,
Gandhi Thirunalloor,
Muthirayarpalayam,
Puducherry.

. . . Counter Petitioner

This petition along with case sheet is filed by the Station House Officer, Mettupalayam Police Station, Puducherry, praying to pass orders under section 144 of Cr.P.C., against Thiru Joseph to prevent imminent danger to human lives and properties and disturbance to the public tranquility and order, in the jurisdiction of this Court.

2. The Counter Petitioner is Thiru Joseph (21), son of Karunakaran, a resident of No. 10, Gandhi Street, Gandhi Thirunalloor, Muthirayarpalayam, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case is submitted by the Station House Officer, Mettupalayam Police Station, Puducherry, with the recommendation of the Superintendent of Police (North), Puducherry *vide* I.R.No. 70/2021 under section 144 of Cr.P.C., dated 25-08-2021. Therein, it has been stated that the Counter Petitioner has indulging in crime such as murder, kidnapping, hurt and disturbance to the public tranquility and order. The Counter Petitioner has created panic in the minds of local inhabitants. It is also stated that he is leading lavish life with the money earned through extortion. As a result, the people of the locality being afraid of the Counter Petitioner do not come forward to lodge any complaint against him. It is also stated that even witnesses don't come forward voluntarily to give evidence against him in the cases where he is the accused. In this connection, the Petitioner had stated that the following criminal cases were registered against the Counter Petitioner.

1. Cr.No. 69/2019 under sections 148, 307 IPC r/w 149 IPC r/w 34 IPC, dated 24-08-2019 of Mettupalayam Police Station, Puducherry – Pending Trial.
2. Cr.No. 155/2020 under sections 148, 302, 120-B IPC r/w 149 IPC, dated 14-10-2020 of Mettupalayam Police Station, Puducherry – Pending Trial.

4. The Petitioner further submitted that the Counter Petitioner is a notorious rowdy element and become a source of terror among the public. It is also stated that he has involved in various offences by using aruval, knife to attack the victims and he violated the conditions imposed by the Criminal Courts and have scant respect to the judiciary and rule of law.

5. The Petitioner further submitted that if, the Counter Petitioner is allowed to reside in Puducherry North limits, it is apprehended that he would continue to indulge in serious offences like murder, assault, extortion, obstructions, annoyance, damages to public and private properties, *etc.*, and thereby emerged as a perennial source of threat to the community and disturb public peace and Order. Hence, the Station House Officer, Mettupalayam Police Station, Puducherry, has prayed to invoke provisions under section 144 of Cr.P.C., against the Counter Petitioner do not to enter into the jurisdiction of this Court, for a period of two months as to prevent danger to the human life and properties of citizens and uphold public peace and order.

6. The proceeding was started by affording an opportunity to the Counter Petitioner to show cause against the petition filed by the Petitioner. A notice was served to both the parties on 08-09-2021 to appear for the hearing on 14-09-2021 at 11.00 a.m. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Mettupalayam Police Station, Puducherry. The notice for the Counter Petitioner was received by his father, Thiru Karunakaran. The service was held sufficient for the Counter Petitioner.

7. On 14-09-2021, the Petitioner represented by Thiru R. Pattabiraman, Assistant Sub-Inspector, Mettupalayam Police Station, Puducherry, was present. The Counter Petitioner has failed to appear before the Court on hearing date.

8. I have heard the Petitioner and carefully gone through all the available records placed before me. In the Police Information Report/Petition, it is stated that the activities of Thiru Joseph is in such a manner that he may cause breach of peace and create a problem of law and order, and public tranquility. He has involved in crimes such as murder, assault, unlawful activities and disturbance to the public peace and order. There are two criminal cases were registered against him in Mettupalayam Police Station.

9. On perusal of the records submitted by the Petitioner and the recommendation of the Superintendent of Police (North), I am of the opinion that if, the Counter Petitioner is allowed to reside within the limits of my jurisdiction, Counter Petitioner will continue to indulge in and also motivate serious offences like murder, assault, extortion, obstructions, annoyance, damages to public and private properties, *etc.*, and thereby emerged as a perennial source of threat to the community and disturb public peace and order. Such situations cannot be handled effectively by taking recourse to usual procedures contemplated by law and hence, it is necessary that special provision under section 144 of Cr.P.C. is invoked to take action against the Counter Petitioner to prevent harm to life and properties of citizens and uphold public peace and order.

10. Hence, I, M. Kandasamy, do hereby, in the capacity of Subdivisional Magistrate (North), Puducherry, in exercise of powers conferred under section 144(1) of the Code of Criminal Procedure, pass this order and prohibit the Counter Petitioner Thiru Joseph (21), son of Karunakaran, a resident of No. 10, Gandhi Street, Gandhi Thirunalloor, Muthirayarpalayam, Puducherry, from entering into the region under the jurisdiction of the Subdivisional Magistrate Court (North), for a period of two months from the date of this order or till any further orders are passed by the Competent Authority revoking this prohibition as per law, whichever is earlier except when you are summoned to attend the cases in any of the Courts in Puducherry. However, the Counter Petitioner may represent against this order before the undersigned by post or by Counsel.

At Puducherry, dated on this 14th day of September, 2021 pronounced in the open Court.

M. KANDASAMY,
Subdivisional Magistrate (North).

**IN THE COURT OF THE SUBDIVISIONAL MAGISTRATE (NORTH)
AT PUDUCHERRY**

Present : Thiru M. KANDASAMY,
Subdivisional Magistrate (North).

M.C. No. 264/2021 of I.R. No. 71/2021 Under Section 144 of Cr.P.C./2436

ORDER

(UNDER SECTION 144 OF Cr.P.C.)

State Represented by the Station House Officer,
Mettupalayam Police Station,
Puducherry.

. . . Petitioner

Vs.

Thiru Rangaraj @ Pullian Kottai (22),
S/o. Ramalingam,
No. 31, East Street,
Sanarapet,
Mettupalayam,
Puducherry.

.... Counter Petitioner

This petition along with case sheet is filed by the Station House Officer, Mettupalayam Police Station, Puducherry, praying to pass orders under section 144 of Cr.P.C., against Thiru Rangaraj @ Pullian Kottai, to prevent imminent danger to human lives and properties, and disturbance to the public tranquility and order, in the jurisdiction of this Court.

2. The Counter Petitioner is Thiru Rangaraj @ Pullian Kottai (22), son of Ramalingam, a resident of No. 31, East Street, Sanarapet, Mettupalayam, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case is submitted by the Station House Officer, Mettupalayam Police Station, Puducherry, with the recommendation of the Superintendent of Police (North), Puducherry *vide* I.R.No. 71/2021 under section 144 of Cr.P.C., dated 25-08-2021. Therein, it has been stated that the Counter Petitioner has indulging in crimes such as dacoity, riot, hurt, intimidation and disturbance to the public tranquility and order. It is also stated that the Counter Petitioner has created panic in the minds of local inhabitants and he is leading lavish life with the money earned through extortion. As a result, the people of the locality being afraid of the Counter Petitioner do not come forward to lodge any complaint against him. It is also stated that even witnesses don't come forward voluntarily to give evidence against him in the cases where he is the accused. In this connection, the Petitioner had stated that the following criminal cases were registered against the Counter Petitioner.

1. Cr.No.06/2021 under sections 294(b), 385 IPC, dated 24-01-2021 of Reddiarpalayam Police Station, Puducherry.
2. Cr.No. 02/2021 under sections 324, 397 IPC, dated 04-01-2021 of Reddiarpalayam Police Station, Puducherry.
3. Cr.No. 11/2020 under sections 294(b), 427, 324, 506(ii) r/w 34 IPC, dated 29-01-2020 of D'Nagar Police Station, Puducherry.
4. Cr.No. 46/2019 under sections 302, 109 IPC r/w 34 IPC and 3 of Explosive Substances Act, 1908 @ 120-B, 302, 109 IPC r/w 34 IPC & 3 of Explosive Substances Act, 1908, dated 23-09-2019 of Kalapet Police Station, Puducherry.
5. Cr.No. 94/2019 under sections 294(b), 324, 307, 3 of Explosive Substances Act, 1908, @' 302 IPC, dated 15-04-2019 of Vanur Police Station, Tamil Nadu.
6. Cr.No. 19/2019 under section 25 (1) (a) of Arms Act, 1959, dated 20-02-2019.
7. Cr.No. 68/2018 under sections 294 (b), 324, 506 (ii) r/w 149 IPC, dated 19-04-2018 of Odiansalai Police Station, Puducherry.
8. Cr.No. 363/2018 under section 399 IPC, dated 19-04-2018 of Kottakuppam Police Station, Tamil Nadu.
9. Cr.No. 33/2018 under sections 294 (b), 427, 506 (ii) IPC r/w 34 IPC, dated 19-04-2018 of Mettupalayam Police Station, Puducherry.

4. The Petitioner further submitted that the Counter Petitioner was very active notorious rowdy element and become a source of terror among the public. It is also stated that he has involved in various offences by using aruval, knife to attack the victims and he violated the conditions imposed by the Criminal Courts and have scant respect to the judiciary and rule of law.

5. The Petitioner further submitted that if, Counter Petitioner is allowed to reside in Puducherry North limits, it is apprehended that he would continue to indulge in serious offences like murder, extortion, assault, obstructions, annoyance, damages to public and private properties, *etc.*, and thereby emerged as a perennial source of threat to the community and disturb public peace and order. Hence, the Station House Officer, Mettupalayam Police Station, Puducherry, has prayed to invoke provisions under section 144 of Cr.P.C., against the Counter Petitioner do not to enter into the jurisdiction of this Court, for a period of two months as to prevent danger to the human life and properties of citizens and uphold public peace and order.

6. The proceeding was started by affording an opportunity to the Counter Petitioner to show cause against the petition filed by the Petitioner. A notice was served to both the parties on 08-09-2021 to appear for the hearing on 14-09-2021 at 11.00 a.m. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, Mettupalayam Police Station, Puducherry. The notice for the Counter Petitioner was received by his mother, Tmt. R. Annapoorani. The service was held sufficient for the Counter Petitioner.

7. On 14-09-2021, the Petitioner represented by Thiru R. Pattabiraman, Assistant Sub-Inspector, Mettupalayam Police Station, Puducherry, was present. The Counter Petitioner has failed to appear before the Court on hearing date.

8. I have heard the Petitioner and carefully gone through all the available records placed before me. In the Police Information Report/Petition, it is stated that the activities of Thiru Rangaraj @ Pullian Kottai, is in such a manner that he may cause breach of peace and create a problem of law and order, and public tranquility. He has involved in crimes such as murder, assault, unlawful activities and disturbance to the public peace and order. There are 9 criminal cases were registered against him in various Police Stations.

9. On perusal of the records submitted by the Petitioner and the recommendation of the Superintendent of Police (North), I am of the opinion that if, the Counter Petitioner is allowed to reside within the limits of my jurisdiction, Counter Petitioner will continue to indulge in and also motivate serious offences like murder, assault, extortion, obstructions, annoyance, damages to public and private properties, *etc.*, and thereby emerged as a perennial source of threat to the community and disturb public peace and order. Such situations cannot be handled effectively by taking recourse to usual procedures contemplated by law and hence, it is necessary that special provision under section 144 of Cr.P.C. is invoked to take action against the Counter Petitioner to prevent harm to life and properties of citizens and uphold public peace and order.

10. Hence, I, M. Kandasamy, do hereby, in the capacity of Subdivisional Magistrate (North), Puducherry, in exercise of powers conferred under the section 144(1) of the Code of Criminal Procedure, pass this order and prohibit the Counter Petitioner Thiru Rangaraj @ Pullian Kottai (22), son of Ramalingam, a resident of No. 31, East Street, Sanarapet, Mettupalayam, Puducherry, from entering into the region under the jurisdiction of the Subdivisional Magistrate Court (North), for a period

of two months from the date of this order or till any further orders are passed by the Competent Authority revoking this prohibition as per law, whichever is earlier except when you are summoned to attend the cases in any of the Courts in Puducherry. However, the Counter Petitioner may represent against this order before the undersigned by post or by Counsel.

At Puducherry, dated on this 14th day of September, 2021 pronounced in the open Court.

M. KANDASAMY,
Subdivisional Magistrate (North).

**IN THE COURT OF THE SUBDIVISIONAL MAGISTRATE (NORTH)
AT PUDUCHERRY**

Present : Thiru M. KANDASAMY,
Subdivisional Magistrate (North).

M.C. No. 265/2021 of I.R. No. 161/2021 Under Section 144 of Cr.P.C./2433

ORDER

(UNDER SECTION 144 OF Cr.P.C.)

State Represented by the Station House Officer,
D'Nagar Police Station,
Puducherry.

. . . Petitioner

Vs.

Thiru Sundar (26).
S/o. Mani,
No. 23, Kattabomman Street,
Kamaraj Nagar,
Gorimedu,
Puducherry.

. . . Counter Petitioner

This petition along with case sheet is filed by the Station House Officer, D'Nagar Police Station, Puducherry praying to pass orders under section 144 of Cr.P.C., against Thiru Sundar to prevent imminent danger to human lives and properties, and disturbance to the public tranquility and order, in the jurisdiction of this Court.

2. The Counter Petitioner is Thiru Sundar (26), son of Mani, a resident of No. 23, Kattabomman Street, Kamaraj Nagar, Gorimedu, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case submitted by the Station House Officer, D'Nagar Police Station, Puducherry, through the Superintendent of Police (North), Puducherry *vide* I.R.No. 161/2021 under section 144 of Cr.P.C., dated 19-08-2021. Therein, it has been stated that the Counter Petitioner has formed a gang of rowdies and indulging in crime such as murder, attempt to murder, extortion by using lethal weapons. The Counter Petitioner has created panic in the minds of local inhabitants. It is also stated that he is extorting money from the local merchants and is leading lavish life with the money earned through extortion. As a result, the people of the locality being afraid of the Counter Petitioner do not come forward to lodge any complaint against him. It is

also stated that even witnesses don't come forward voluntarily to give evidence against him in the cases where he is the accused. In this connection, the Petitioner had stated that the following criminal cases were registered against the Counter Petitioner.

1. Cr.No. 293/2020 under sections 302 r/w 34 IPC @ 147, 148, 302 r/w 149 IPC, dated 30-09-2020 of D'Nagar Police Station, Puducherry.
2. Cr.No. 17/2021 under section 144 Cr.P.C., dated 12-02-2021 of D'Nagar Police Station, Puducherry.

4. It is also stated in the I.R that the Station House Officer has received reliable information that the Counter Petitioner along with his gang were planned for attacking his rival group to take revenge upon them. The Petitioner further stated that the Counter Petitioner has involved in various offences by using aruval, knife and explosive substances to attack the victims and become a source of terror among the public. It is also stated that the Counter Petitioner violated the conditions imposed by the Criminal Courts and have scant respect to the judiciary and rule of law.

5. The Petitioner further submitted that if, the Counter Petitioner is allowed to reside in Puducherry urban limits, it is apprehended that he would continue to indulge in serious offences like murder, extortion, assault, obstructions and annoyance, damages to public and private properties, and thereby emerged as a perennial source of threat to the community and disturb public peace and order. Hence, the Station House Officer, D'Nagar Police Station, Puducherry, has prayed to invoke provisions under section 144 of Cr.P.C., against the Counter Petitioner do not to enter into the jurisdiction of this Court, for a period of two months as to prevent danger to the human life and properties, and disturbance to the public tranquility and order.

6. The proceeding was started by affording an opportunity to the Counter Petitioner to show cause against the petition filed by the Petitioner. A notice was served to both the parties on 08-09-2021 to appear for the hearing on 21-09-2021 at 11 a.m. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, D'Nagar Police Station, Puducherry. The notice for the Counter Petitioner was received by his wife, Tmt. Poovarasi. The service was held sufficient for the Counter Petitioner.

7. On 21-09-2021 at 11.00 a.m. the Petitioner represented by Thiru A. Govindarajan, Sub-Inspector, D'Nagar Police Station, Puducherry, was present. The Counter Petitioner has failed to appear before the Court on hearing date and Tmt. Poovarasi was represented on behalf of the Counter Petitioner.

8. I have heard both the sides and carefully gone through all the available records in file placed by the Petitioner. In the Police Information Report/Petition, it is stated that the activities of Thiru Sundar is in such a manner that he may cause breach of peace and create a problem of law and order, and public tranquility. He has involved in crimes such as murder, unlawful activities and disturbance to the public peace and order. There are 2 criminal cases were registered against him in D'Nagar Police Station, Puducherry.

9. On perusal of the records submitted by the Petitioner and the recommendation of the Superintendent of Police (North), I am of the opinion that if, the Counter Petitioner is allowed to reside within the limits of my jurisdiction, Counter Petitioner will continue to indulge in and also motivate serious offences like murder, assault, damages to public and private properties, obstructions,

annoyance, *etc.*, and thereby become a perennial source of threat to the community and disturb public peace and order. Such situations cannot be handled effectively by taking recourse to usual procedures contemplated by law and hence, it is necessary that special provision under section 144 of Cr.P.C. is invoked to take action against the Counter Petitioner to prevent harm to life and properties of citizens and uphold public peace and order.

10. Hence, I, M. Kandasamy, do hereby, in the capacity of Subdivisional Magistrate (North), Puducherry, in exercise of powers conferred under the section 144(1) of the Code of Criminal Procedure, pass this order and prohibit the Counter Petitioner Thiru Sundar (26), son of Mani, a resident of No. 23, Kattabomman Street, Kamaraj Nagar, Gorimedu, Puducherry, from entering into the region under the jurisdiction of the Subdivisional Magistrate Court (North), for a period of two months from the date of this order or till any further orders are passed by the Competent Authority revoking this prohibition as per law, whichever is earlier except when you are summoned to attend the cases in any of the Courts in Puducherry. However, the Counter Petitioner may represent against this order before the undersigned by post or by Counsel.

At Puducherry, dated on this 21st day of September, 2021 pronounced in the open Court.

M. KANDASAMY,
Subdivisional Magistrate (North).

**IN THE COURT OF THE SUBDIVISIONAL MAGISTRATE (NORTH)
AT PUDUCHERRY**

Present : Thiru M. KANDASAMY,
Subdivisional Magistrate (North).

M.C. No. 266/2021 of I.R. No. 162/2021 Under Section 144 of Cr.P.C./2432

ORDER

(UNDER SECTION 144 OF Cr.P.C.)

State Represented by the Station House Officer,
D'Nagar Police Station,
Puducherry.

. . . Petitioner

Vs.

Thiru Arunselvam (26),
S/o. Palani @ Iyyanar,
No. 6, Kurinji Street,
Kamaraj Nagar,
Gorimedu,
Puducherry.

. . . Counter Petitioner

This petition along with case sheet is filed by the Station House Officer, represented by Thiru A. Govindarajan, Sub-Inspector, D'Nagar Police Station, Puducherry, praying to pass orders under section 144 of Cr.P.C., against Thiru Arunselvam to prevent imminent danger to human lives and properties and disturbance to the public tranquility and order, in the jurisdiction of this Court.

2. The Counter Petitioner is Thiru Arunselvam (26), son of Palani @ Iyyanar, a resident of No. 6, Kurinji Street, Kamaraj Nagar, Gorimedu, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case submitted by the Station House Officer, D'Nagar Police Station, Puducherry, through the Superintendent of Police (North), Puducherry *vide* I.R.No. 162/2021 under section 144 of Cr.P.C., dated 19-08-2021. Therein, it has been stated that the Counter Petitioner has formed a gang of rowdies and indulging in crime such as murder, attempt to murder, extortion by using lethal weapons. The Counter Petitioner has created panic in the minds of local inhabitants. It is also stated that he is extorting money from the local merchants and is leading lavish life with the money earned through extortion. As a result, the people of the locality being afraid of the Counter Petitioner do not come forward to lodge any complaint against him. It is also stated that even witnesses don't come forward voluntarily to give evidence against him in the cases where he is the accused. In this connection, the Petitioner had stated that the following criminal cases were registered against the Counter Petitioner.

1. Cr.No. 132/2012 under sections 323, 324, 506(ii) IPC r/w 34 IPC, dated 16-03-2012 of D'Nagar Police Station, Puducherry.
2. Cr.No. 293/2020 under sections 302 r/w 34 IPC@ 147,148, 302 r/w 149 IPC, dated 30-09-2020 of D'Nagar Police Station, Puducherry.
3. Cr.No. 8/2021 under section 144 of Cr.P.C., dated 13-01-2021 of D'Nagar Police Station, Puducherry.

4. It is also stated in the I.R that the Station House Officer has received reliable information that the Counter Petitioner along with his gang were planned for attacking his rival group to take revenge upon them. The Petitioner further stated that the Counter Petitioner has involved in various offences by using aruval, knife and explosive substances to attack the victims and become a source of terror among the public. It is also stated that the Counter Petitioner violated the conditions imposed by the Criminal Courts and have scant respect to the judiciary and rule of law.

5. The Petitioner further submitted that if, the Counter Petitioner is allowed to reside in Puducherry urban limits, it is apprehended that he would continue to indulge in serious offences like murder, extortion, assault, obstructions and annoyance, damages to public and private properties, and thereby emerged as a perennial source of threat to the community and disturb public peace and order. Hence, the Station House Officer, D'Nagar Police Station, Puducherry, has prayed to invoke provisions under section 144 of Cr.P.C., against the Counter Petitioner do not to enter into the jurisdiction of this Court, for a period of two months as to prevent danger to the human life and properties and disturbance to the public tranquility and order.

6. The proceeding was started by affording an opportunity to the Counter Petitioner to show cause against the petition filed by the Petitioner. A notice was served to both the parties on 08-09-2021 to appear for the hearing on 21-09-2021 at 11.00 a.m. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, D'Nagar Police Station, Puducherry. The notice for the Counter Petitioner was received by his mother, Tmt. P. Selvakumari. The service was held sufficient for the Counter Petitioner.

7. On 21-09-2021 at 11.00 a.m. the Petitioner represented by Thiru A. Govindarajan, Sub-Inspector, D'Nagar Police Station, Puducherry, was present. The Counter Petitioner has failed to appear before the Court on hearing date.

8. I have heard the Petitioner and carefully gone through all the available records placed before me. In the Police Information Report/Petition, it is stated that the activities of Thiru Arunselvam is in such a manner that he may cause breach of peace and create a problem of law and order, and public tranquility. He has involved in crimes such as murder, unlawful activities and disturbance to the public peace and order. There are 3 criminal cases were registered against him in D'Nagar Police Station, Puducherry.

9. On perusal of the records submitted by the Petitioner and the recommendation of the Superintendent of Police (North), I am of the opinion that if, the Counter Petitioner is allowed to reside within the limits of my jurisdiction, Counter Petitioner will continue to indulge in and also motivate serious offences like murder, assault, damages to public and private properties, obstructions, annoyance, *etc.*, and thereby become a perennial source of threat to the community and disturb public peace and order. Such situations cannot be handled effectively by taking recourse to usual procedures contemplated by law and hence, it is necessary that special provision under section 144 of Cr.P.C. is invoked to take action against the Counter Petitioner to prevent harm to life and properties of citizens and uphold public peace and order.

10. Hence, I, M. Kandasamy, do hereby, in the capacity of Subdivisional Magistrate (North), Puducherry, in exercise of powers conferred under the section 144(1) of the Code of Criminal Procedure, pass this order and prohibit the Counter Petitioner Thiru Arunselvam (26), son of Palani @ Iyyanar, a resident of No. 6, Kurinji Street, Kamaraj Nagar, Gorimedu, Puducherry, from entering into the region under the jurisdiction of the Subdivisional Magistrate Court (North), for a period of two months from the date of this order or till any further orders are passed by the Competent Authority revoking this prohibition as per law, whichever is earlier except when you are summoned to attend the cases in any of the Courts in Puducherry. However, the Counter Petitioner may represent against this order before the undersigned by post or by Counsel.

At Puducherry, dated on this 21st day of September, 2021 pronounced in the open Court.

M. KANDASAMY,
Subdivisional Magistrate (North).

**IN THE COURT OF THE SUBDIVISIONAL MAGISTRATE (NORTH)
AT PUDUCHERRY**

Present : Thiru M. KANDASAMY,
Subdivisional Magistrate (North).

M.C. No. 267/2021 of I.R. No. 163/2021 Under Section 144 of Cr.P.C./2434

ORDER

(UNDER SECTION 144 OF Cr.P.C.)

State Represented by the Station House Officer,
D'Nagar Police Station,
Puducherry.

. . . Petitioner

Vs.

Thiru Vinoth (28),
S/o. Mani,
No. 23, Kattabomman Street,
Kamaraj Nagar,
Gorimedu,
Puducherry.

. . . Counter Petitioner

This petition along with case sheet is filed by the Station House Officer, D'Nagar Police Station, Puducherry, praying to pass orders under section 144 of Cr.P.C., against Thiru Vinoth, to prevent imminent danger to human lives and properties, and disturbance to the public tranquility and order, in the jurisdiction of this Court.

2. The Counter Petitioner is Thiru Vinoth (28), son of Mani, a resident of No. 23, Kattabomman Street, Kamaraj Nagar, Gorimedu, Puducherry.

3. *The facts which led up to the petition are briefly as follows:* The case submitted by the Station House Officer, D'Nagar Police Station, Puducherry, through the Superintendent of Police (North), Puducherry *vide* I.R.No. 163/2021 under section 144 of Cr.P.C., dated 20-08-2021. Therein, it has been stated that the Counter Petitioner has formed a gang of rowdies and indulging in crime such as murder, attempt to murder, extortion by using lethal weapons. The Counter Petitioner has created panic in the minds of local inhabitants. It is also stated that he is extorting money from the local merchants and is leading lavish life with the money earned through extortion. As a result, the people of the locality being afraid of the Counter Petitioner do not come forward to any complaint against him. It is also stated that even witnesses don't come forward voluntarily to give evidence against him in the cases where he is the accused. In this connection, the Petitioner had stated that the following criminal cases were registered against the Counter Petitioner.

1. Cr.No. 293/2020 under sections 302 r/w 34 IPC@ 147,148, 302 r/w 149 IPC, dated 30-09-2020 of D'Nagar Police Station, Puducherry.

2. Cr.No. 09/2021 under section 144 of Cr.P.C., dated 14-01-2021 of D'Nagar Police Station, Puducherry.

4. It is also stated in the I.R that the Station House Officer has received reliable information that the Counter Petitioner along with his gang were planned for attacking his rival group to take revenge upon them. The Petitioner further stated that the Counter Petitioner has involved in various offences by using aruval, knife and explosive substances to attack the victims and become a source of terror among the public. It is also stated that the Counter Petitioner violated the conditions imposed by the Criminal Courts and have scant respect to the judiciary and rule of law.

5. The Petitioner further submitted that if, the Counter Petitioner is allowed to reside in Puducherry urban limits, it is apprehended that he would continue to indulge in serious offences like murder, extortion, assault, obstructions and annoyance, damages to public and private properties, and thereby emerged as a perennial source of threat to the community and disturb public peace and order. Hence, the Station House Officer, D'Nagar Police Station, Puducherry, has prayed to invoke provisions under section 144 of Cr.P.C. against the Counter Petitioner do

not to enter into the jurisdiction of this Court, for a period of two months as to prevent danger to the human life and properties and disturbance to the public tranquility and order.

6. The proceeding was started by affording an opportunity to the Counter Petitioner to show cause against the petition filed by the Petitioner. A notice was served to both the parties on 08-09-2021 to appear for the hearing on 21-09-2021 at 11.00 a.m. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, D'Nagar Police Station, Puducherry. The notice for the Counter Petitioner was received by his relative, Tmt. Poovarasi. The service was held sufficient for the Counter Petitioner.

7. On 21-09-2021 at 11.00 a.m. the Petitioner represented by Thiru A. Govindarajan, Sub-Inspector, D'Nagar Police Station, Puducherry, was present. The Counter Petitioner has failed to appear before the Court on hearing date. The Counter Petitioner was represented by his father, Thiru Mani.

8. I have heard both the sides and carefully gone through all the available records in file placed by the Petitioner. In the Police Information Report/Petition, it is stated that the activities of Thiru Vinoth is in such a manner that he may cause breach of peace and create a problem of law and order, and public tranquility. He has involved in crimes such as murder, unlawful activities and disturbance to the public peace and order. There are 2 criminal cases were registered against him in D'Nagar Police Station, Puducherry.

9. On perusal of the records submitted by the Petitioner and the recommendation of the Superintendent of Police (North), I am of the opinion that if, the Counter Petitioner is allowed to reside within the limits of my jurisdiction, Counter Petitioner will continue to indulge in and also motivate serious offences like murder, assault, damages to public and private properties, obstructions, annoyance, *etc.*, and thereby become a perennial source of threat to the community and disturb public peace and order. Such situations cannot be handled effectively by taking recourse to usual procedures contemplated by law and hence, it is necessary that special provision under section 144 of Cr.P.C. is invoked to take action against the Counter Petitioner to prevent harm to life and properties of citizens and uphold public peace and order.

10. Hence, I, M. Kandasamy, do hereby, in the capacity of Subdivisional Magistrate (North), Puducherry, in exercise of powers conferred under the section 144(1) of the Code of Criminal Procedure, pass this order and prohibit the Counter Petitioner Thiru Vinoth (28), son of Mani, a resident of No. 23, Kattabomman Street, Kamaraj Nagar, Gorimedu, Puducherry, from entering into the region under the jurisdiction of the Subdivisional Magistrate Court (North), for a period of two months from the date of this order or till any further orders are passed by the Competent Authority revoking this prohibition as per law, whichever is earlier except when you are summoned to attend the cases in any of the Courts in Puducherry. However, the Counter Petitioner may represent against this order before the undersigned by post or by Counsel.

At Puducherry, dated on this 21st day of September, 2021 pronounced in the open Court.

M. KANDASAMY,
Subdivisional Magistrate (North).

**IN THE COURT OF THE SUBDIVISIONAL MAGISTRATE (NORTH)
AT PUDUCHERRY**

Present : Thiru M. KANDASAMY,
Subdivisional Magistrate (North).

M.C. No. 268/2021 of I.R. No. 164/2021 Under Section 144 of Cr.P.C./2435

ORDER

(UNDER SECTION 144 OF Cr.P.C.)

State Represented by the Station House Officer,
D'Nagar Police Station,
Puducherry.

. . . Petitioner

Vs.

Thiru Annamalai (19),
S/o. Kadhivel,
No. 3, Kamban Street,
Kamaraj Nagar,
Gorimedu,
Puducherry.

. . . Counter Petitioner

This petition along with case sheet is filed by the Station House Officer, represented by Thiru A. Govindarajan, Sub-Inspector, D'Nagar Police Station, Puducherry, praying to pass orders under section 144 of Cr.P.C., against Thiru Annamalai, to prevent imminent danger to human lives and properties, and disturbance to the public tranquility and order, in the jurisdiction of this Court.

2. The Counter Petitioner is Thiru Annamalai (19), son of Kadhivel, a resident of No. 3, Kamban Street, Kamaraj Nagar, Gorimedu, Puducherry. .

3. *The facts which led up to the petition are briefly as follows:* The case submitted by the Station House Officer, D'Nagar Police Station, Puducherry, through the Superintendent of Police (North), Puducherry *vide* I.R.No. 164/2021, under section 144 of Cr.P.C., dated 21-08-2021. Therein, it has been stated that the Counter Petitioner has formed a gang of rowdies and indulging in crime such as murder, attempt to murder, extortion by using lethal weapons. The Counter Petitioner has created panic in the minds of local inhabitants. It is also stated that he is extorting money from the local merchants and is leading lavish life with the money earned through extortion. As a result, the people of the locality being afraid of the Counter Petitioner do not come forward to lodge any complaint against him. It is also stated that even witnesses don't come forward voluntarily to give evidence against him in the cases where he is the accused. In this connection, the Petitioner had stated that the following criminal cases were registered against the Counter Petitioner.

1. Cr.No. 293/2020 under sections 302 r/w 34 IPC @ 147, 148, 302 r/w 149 IPC, dated 30-09-2020 of D'Nagar Police Station, Puducherry.
2. Cr.No. 14/2021 under section 144 of Cr.P.C., dated 03-02-2021 of D'Nagar Police Station, Puducherry.

4. It is also stated in the I.R that the Station House Officer has received reliable information that the Counter Petitioner along with his gang were planned for attacking his rival group to take revenge upon them. The Petitioner further stated that the Counter Petitioner has involved in various offences by using aruval, knife and explosive substances to attack the victims and become a source of terror among the public. It is also stated that the Counter Petitioner violated the conditions imposed by the Criminal Courts and have scant respect to the judiciary and rule of law.

5. The Petitioner further submitted that if, the Counter Petitioner is allowed to reside in Puducherry urban limits, it is apprehended that he would continue to indulge in serious offences like murder, extortion, assault, obstructions and annoyance, damages to public and private properties, and thereby emerged as a perennial source of threat to the community and disturb public peace and order. Hence, the Station House Officer, D'Nagar Police Station, Puducherry, has prayed to invoke provisions under section 144 of Cr.P.C., against the Counter Petitioner to not to enter into the jurisdiction of this Court, for a period of two months as to prevent danger to the human life and properties, and disturbance to the public tranquility and order.

6. The proceeding was started by affording an opportunity to the Counter Petitioner to show cause against the petition filed by the Petitioner. A notice was served to both the parties on 08-09-2021 to appear for the hearing on 21-09-2021 at 11.00 a.m. It was instructed to serve the notice to the Counter Petitioner through the Station House Officer, D'Nagar Police Station, Puducherry. The notice for the Counter Petitioner was served by affixing it at his house. The service was held sufficient for the Counter Petitioner.

7. On 21-09-2021 at 11.00 a.m. the Petitioner represented by Thiru A. Govindarajan, Sub-Inspector, D'Nagar Police Station, Puducherry, was present. The Counter Petitioner has failed to appear before the Court on hearing date.

8. I have heard the Petitioner and carefully gone through all the available records placed by the Petitioner. In the Police Information Report/Petition, it is stated that the activities of Thiru Annamalai is in such a manner that he may cause breach of peace and create a problem of law and order, and public tranquility. He has involved in crimes such as murder, unlawful activities and disturbance to the public peace and order. There are 2 criminal cases were registered against him in D'Nagar Police Station, Puducherry.

9. On perusal of the records submitted by the Petitioner and the recommendation of the Superintendent of Police (North), I am of the opinion that if, the Counter Petitioner is allowed to reside within the limits of my jurisdiction, Counter Petitioner will continue to indulge in and also motivate serious offences like murder, assault, damages to public and private properties, obstructions, annoyance, *etc.*, and thereby become a perennial source of threat to the community and disturb public peace and order. Such situations cannot be handled effectively by taking recourse to usual procedures contemplated by law and hence, it is necessary that special provision under section 144 of Cr.P.C. is invoked to take action against the Counter Petitioner to prevent harm to life and properties of citizens and uphold public peace and order.

10. Hence, I, M. Kandasamy, do hereby, in the capacity of Subdivisional Magistrate (North), Puducherry, in exercise of powers conferred under the section 144(1) of the Code of Criminal Procedure, pass this order and prohibit the Counter Petitioner Thiru Annamalai (19), son of Kadhivel, a resident of No. 3, Kamban Street, Kamaraj Nagar, Gorimedu, Puducherry, from entering into the region under the jurisdiction of the Subdivisional Magistrate Court (North), for a period of two months from the date of this order or till any further orders are passed by the Competent Authority revoking this prohibition as per law, whichever is earlier except when you are summoned to attend the cases in any of the Courts in Puducherry. However, the Counter Petitioner may represent against this order before the undersigned by post or by Counsel.

At Puducherry, dated on this 21st day of September, 2021 pronounced in the open Court.

M. KANDASAMY,
Subdivisional Magistrate (North).
